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OFFICE OF PETITIONS

In re Application of :
Williams, et al. :
Application No. 10/766,774 : ON PETITION
Filed: January 28, 2004 :
Attorney Docket No. AAT007-3C US :

This is a decision on the papers styled, "Petition," filed on October 13, 2004, which has been treated as a Petition under 37 CFR 1.53, requesting that the above-identified application be accorded a filing date of January 28, 2004, including Figure 16A as described in the specification.

The application was filed on January 28, 2004. However, on August 11, 2004, the Office of Initial Patent Examination (OIPE) mailed a "Notice To File Missing Parts of Nonprovisional Application" (Notice) that stated the application had been accorded a filing date, but Figures 16A and 170 described in the specification appear to have been omitted.

It is noted that Figure 170 is not described in the specification as filed on January 28, 2004 and that its' mention as omitted on that date is in error. As such, only Figure 16A is believed to be omitted on that date.

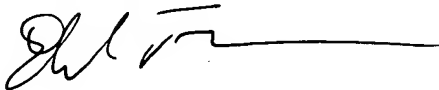
In response, on October 13, 2004 the instant petition and one (1) sheet of drawings (which include Figure 16A) were submitted. The papers were accompanied by a copy of applicant's postcard receipt that acknowledges receipt of "Drawings (219 sheets)," on January 28, 2004. A review of the application file indicates the presence of only two-hundred eighteen (218) sheets of drawings originally filed on January 28, 2004, with the sheet containing Figure 16A missing. It is assumed that the missing sheet of drawings containing Figure 16A was misplaced by the Office.

In view of the above, the petition is granted.

The \$130.00 petition fee submitted on October 13, 2004 will be refunded to deposit account no. 50-2263.

This application will be returned to OIPE for processing with a filing date of January 28, 2004, using the one (1) sheet of drawings, containing Figure 16A, that was submitted with the petition on October 13, 2004.

Telephone inquiries concerning this matter may be directed to the undersigned at (571)272-3228.

A handwritten signature in black ink, appearing to read 'Edward J. Tannouse', followed by a horizontal line.

Edward J. Tannouse
Petitions Attorney
Office of Petitions
United States Patent and Trademark Office